

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.J. Res. 78—Proposing an Amendment to the U.S. Constitution Restoring Religious Freedom

H.Con.Res. 285—Urging the President to Reconsider His Decision to be Received in Tiananmen Square by the People's Republic of China

S. 1150—Agricultural Research, Extension, and Education Reauthorization Act (Conference Report)

H.Con.Res. 284—FY 1999 Budget Resolution



H.J. Res. 78—Proposing an Amendment to the U.S. Constitution Restoring Religious Freedom

Floor Situation: The House will consider H.J. Res. 78 as its first order of business today. Yesterday, the Rules Committee granted a modified closed rule providing two hours of general debate, equally divided between the chairman and ranking member of the Judiciary Committee. The rule makes in order one amendment by Mr. Bishop, which will be debatable for one hour. Finally, the rule provides for a motion to recommit, with or without instructions.

Summary: H.J. Res. 78 proposes an amendment to the U.S. Constitution to guarantee that individuals may recognize and express their religious beliefs, heritage, or traditions on public property, including in public schools. The resolution specifically prohibits the federal government from establishing an official state religion. Additionally, the resolution prohibits any government from requiring someone to join in prayer or other religious activities, prescribe school prayers, discriminate against religion, or deny equal access to a benefit on account of religion. CBO estimates that enactment will have no significant effect on the federal budget. H.J. Res. 78 was introduced by Mr. Istook and was reported by the Judiciary Committee by a vote of 16-11 on March 4, 1998.

Views: The Republican Leadership supports passage of the resolution. The Clinton Administration opposes the resolution on the grounds that the measure creates the potential for discrimination against minority religions and raises constitutional concerns regarding the separation of church and state.

Amendments: As state above, the rule makes in order the following amendment to H.J. Res. 78:

Mr. Bishop may offer an amendment to (1) strike language which refers to an individual's right to acknowledge God and replace it with language stating "to secure the people's right to freedom of religion"; and (2) strike language at the end of the resolution regarding equal access to benefits on account of religion. The author's intent is to make the constitutional amendment more widely applicable to persons whose religion may or may not make specific references to God, as well as ensure that government entities and officials do not prevent religious groups or individuals from access to facilities or other government resources for the purpose of enforcing neutrality toward religious expression. **Contact: x5-3631**

Additional Information: See *Legislative Digest*, Vol. XXVII, #14, May 29, 1998.



H.Con.Res. 285—Urging the President to Reconsider His Decision to be Received in Tiananmen Square by the People's Republic of China

Floor Situation: The House will consider H.Con.Res. 285 after it completes consideration of H.J. Res. 78. Yesterday, the Rules Committee granted a closed rule providing one hour of general debate, equally divided between the majority leader or his designee and an opponent. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.Con.Res. 285 expresses the sense of Congress that President Clinton should reconsider his decision to be formally received in Tiananmen Square until the Government of the People's Republic of China acknowledges the Tiananmen Square massacre, pledges that such atrocities will never happen again, and releases those Chinese students still imprisoned for supporting freedom and democracy that day. Nine years ago today, thousands of Chinese students peacefully gathered in Tiananmen Square to demonstrate their support for freedom and democracy, while Chinese soldiers of the People's Republic of China were ordered to fire machine guns and tanks on young, unarmed civilians. More than 2,000 Chinese pro-democracy demonstrators died that day, according to the Chinese Red Cross. The resolution was introduced by Mr. Armey on June 3, 1998.



S. 1150—Agricultural Research, Extension, and Education Reauthorization Act (Conference Report)

Floor Situation: The House is scheduled to consider the conference report to S. 1150 after it completes consideration of H.Con.Res. 285. Conference reports are privileged and may be considered any time three days after they are filed; they are debatable for one hour, may not be amended, and are subject to

one motion to recommit. Yesterday, the House adopted a unanimous consent request a rule waiving all points of order against the conference report and its consideration.

Summary: The conference report to S. 1150 reauthorizes and reforms existing agricultural research, extension, and education programs through FY 2002. Specifically, the measure (1) improves overall coordination of all federally-supported agricultural research; (2) increases user input by requiring the Agriculture Secretary to consult with (and solicit recommendations from) stakeholders when establishing priorities for federally-funded research, extension, and education activities; (3) subjects all federal research, extension, and education programs to scientific and merit peer-review; (4) clarifies that state universities must match any federal funds with an equal amount of non-federal funds to ensure consistency between research and education programs (with certain exceptions); (5) authorizes new competitive research grant programs in plant and animal genetics, precision agriculture, organic agriculture, new biobased industrial products, and crop diversification; and (6) seeks to ensure that federal funds maximize the impact of federal investment by coordinating and integrating research, extension, and education projects and programs, minimize unnecessary duplication, and foster appropriate partnerships with other institutions and organizations to solve specific problems.

The conference agreement also makes a number of program changes to provide an estimated \$1.9 billion in savings over five years (i.e., \$1.7 billion from reductions in administrative food stamp cost spending, \$145 million from food stamp employment and training, and \$82 million from lowering the cap on Commodity Credit Corporation funding used to purchase information technology equipment). The conference report uses these savings to provide new funding for several initiatives, which include (1) \$600 million in new mandatory funding over five years for a high priority Initiative for Future Agriculture and Food Systems; (2) \$485 million for crop insurance; (3) \$100 million for the Fund for Rural America; and (4) \$818 million over five years to restore food stamp benefits to approximately 250,000 legal immigrants. The House passed its version of reauthorizing legislation (H.R. 2534) by a vote of 291-125 on November 8, 1997. The Senate passed S. 1150 by unanimous consent on October 29, 1997, and passed the conference report by a vote of 92-8 on May 12, 1998. The conference report was submitted by Mr. Smith (OR) on April 22, 1998.

On May 22, 1998, the House rejected the rule for consideration of the conference report by a vote of 289-120, because passage of the rule would have allowed any member to strike the food stamp provisions in the bill by raising a point of order.

Additional Information: See *Legislative Digest*, Vol. XXVII, #13, Pt. III, May 21, 1998.



H.Con.Res. 284—FY 1999 Budget Resolution

Floor Situation: The House will consider H.Con.Res. 284 after it completes consideration of the conference report to S. 1150. Yesterday, the Rules Committee granted a modified closed rule providing three hours of general debate—including one hour of Humphrey-Hawkins debate (time reserved for the discussion of overall economic goals and policies)—with two hours equally divided between the chairman and ranking minority member of the Budget Committee and one hour equally divided between Mr. Saxton and Mr. Stark. The rule makes in order two substitute budgets, each debatable for one hour in the order listed

below. The rule waives all points of order against the resolution and substitute amendments. It stipulates that adoption of any of the substitutes will conclude consideration of H.Con.Res. 284 for amendment. It allows the chairman of the Committee of the Whole to postpone votes during consideration and reduce the voting time on a postponed question to five-minutes, so long as it follows a regular fifteen minute vote. Finally, the rule states that House rules regarding the establishment of the statutory limit on the public debt do not apply to the adoption of the FY 1999 budget resolution.

Summary: H.Con.Res. 284 builds on the framework established by the passage of the 1997 Balanced Budget Act, which has balanced the federal budget and expects to yield a surplus this year, four years ahead of schedule. The resolution projects surpluses of \$52.7 billion in FY 1998, \$33.9 billion in FY 1999, \$21.3 billion in FY 2000, \$28.1 billion in FY 2001, \$76.6 billion in FY 2002, and \$63.3 billion in FY 2003. It forecasts \$1.76 trillion in revenues in FY 1999, climbing to \$1.97 trillion by FY 2003. For total budget outlays, the measure recommends \$1.72 trillion in FY 1999.

More specifically, the resolution calls for:

- * increasing spending on national defense to \$270.5 billion in BA and \$265.5 billion in outlays in FY 1999;
- * increasing spending for Medicare to \$209.6 billion in BA and \$210.1 billion in outlays in FY 1999;
- * decreasing spending on international affairs to \$14.2 billion in BA and \$13.8 billion in outlays in FY 1999;
- * decreasing spending on energy-related activities of the federal government to \$600 million in BA and \$300 million in outlays in FY 1999;
- * decreasing spending for transportation-related spending to \$44.3 billion in BA and \$42.1 billion in outlays in FY 1999;
- * increasing education spending to \$61.4 billion in BA and \$60.2 billion in outlays in FY 1999; and
- * providing a total of \$394.7 billion in BA and \$394.9 billion in outlays for Social Security in FY 1999. The goal of the committee is to ultimately balance the budget without relying on the practice of borrowing from Social Security.

The resolution was introduced by Mr. Kasich and was reported by the Budget Committee by a vote of 22-16.

Views: The Republican leadership supports passage of the bill. An official Clinton Administration viewpoint was unavailable at press time.

Amendments: As stated above, the rule makes in order two substitute amendments, each debatable in the order listed below. Each substitute amendment is debatable for one hour.

— *Neumann Substitute* —

Mr. Neumann, Mr. McIntosh, and Mr. Johnson (TX) will offer an amendment in the nature of a substitute designed to limit the growth of government spending to slightly less than the rate of inflation, preserve and protect Social Security, and empower Congress to cut wasteful spending and return money to the taxpayers by designating 50 percent of any additional revenues collected by the federal government toward tax relief and the other 50 percent towards paying off the national debt. Funding priorities for FY 1999 are detailed in the accompanying chart.

Social Security. The substitute expresses the sense of Congress that the Social Security Trust Fund should be protected and preserved by acquiring real assets for the trust fund by purchasing negotiable, instead of non-negotiable, Treasury bonds and guaranteeing their value at redemption. The substitute calls for repaying money the government has borrowed from the trust fund and creates a Social Security “lock box” to dedicate cuts made during the consideration of appropriations bills to the trust fund.

Tax Relief. The substitute expresses the sense of Congress that the government should limit spending to slightly less than the rate of inflation. This allows for \$150 billion in tax relief which includes eliminating the marriage tax penalty, expanding the 15 percent income tax bracket, restoring the 12-month holding period on capital gains, and eliminating the “death tax.”

Budget Surplus. The substitute expresses the sense of Congress that the pay-as-you-go budget rule should be changed to allow Congress to cut including discretionary spending to pay for tax cuts. It states that 50 percent of any surplus should be used to provide tax relief and the other 50 percent should be applied to paying off the \$5.5 trillion federal debt, prioritizing shoring up the Social Security trust fund. It calls for tax reductions to expand education individual retirement accounts, index capital gains to the rate of inflation, allow 100 percent deductibility for health insurance premiums for employees and self-employed individuals, eliminate the Social Security earnings limit, repeal the 1993 tax increase on Social Security benefits, repeal the alternative minimum tax for individuals and corporations, and permanently extend the research and development tax credit.

Education. The substitute expresses the sense of Congress that (1) 95 percent of federal education dollars should be spent in the classroom; (2) the Goals 2000 program should be terminated and the funds given to states and local school districts; (3) Congress should enact legislation to prevent the development of a national testing program; and (4) the Department of Education should limit its role in educational functions to those which state and local school officials cannot perform. The substitute also advocates creating a federal pilot program to provide low-income children in the District of Columbia with scholarships to attend public, private, religious, or home schools of their parents’ choice.

Partial-Birth Abortions. The substitute expresses the sense of Congress that partial-birth abortions should be banned unless the procedure is needed to save the life of the mother. It states that taxpayer money should not be used to subsidize abortions or organizations that promote or perform abortions. The substitute requires organizations or businesses that receive federal funding to obtain parental consent before providing contraceptives to minors. The substitute states that taxpayers should not have to support international family planning programs. If Congress does not stop supporting international family planning programs, then the measure calls for providing funding only to organizations that certify they do not perform, or lobby for the legalization of, abortions in other countries. It also states that taxpayers should not be forced to support the United Nations Population Fund if it conducts activities in the People’s Republic of China, which persists in coercing its people to obtain abortions and undergo involuntary sterilization.

FY 1999 Budget Resolution Substitutes -- Total Spending by Function
(in billions of dollars)

Budget Function	Budget Authority Outlays	H.Con.Res. 284	Neumann Subst.	Spratt Subst.
National Defense	BA	\$270.5	\$278.1	\$270.5
	O	\$265.5	\$273.0	\$265.5
International Affairs	BA	\$14.2	\$13.5	\$14.6
	O	\$13.8	\$13.1	\$14.2
Science, Space, & Tech.	BA	\$17.9	\$16.9	\$18.2
	O	\$17.8	\$16.8	\$17.9
Energy	BA	\$0.6	\$-1.4	\$0.6
	O	\$0.3	\$-0.7	\$0.2
Nat. Resources/Environment	BA	\$22.6	\$19.8	\$23.2
	O	\$22.8	\$20.0	\$23.3
Agriculture	BA	\$12.2	\$11.2	\$12.3
	O	\$10.5	\$9.6	\$10.6
Commerce & Housing Credit	BA	\$4.4	\$3.9	\$4.1
	O	\$2.8	\$2.5	\$3.0
Transportation	BA	\$44.3	\$45.7	\$51.1
	O	\$42.1	\$43.4	\$42.5
Community & Regional Dev.	BA	\$8.7	\$8.7	\$8.6
	O	\$10.6	\$10.6	\$10.9
Education, Training, Employment & Social Services	BA	\$61.4	\$60.0	\$63.9
	O	\$60.2	\$58.8	\$61.1
Health and Medicaid	BA	\$143.8	\$139.2	\$145.7
	O	\$142.3	\$137.7	\$143.6
Medicare	BA	\$209.6	\$209.6	\$209.8
	O	\$210.1	\$210.1	\$210.4
Income Security	BA	\$243.8	\$236.7	\$246.0
	O	\$247.6	\$240.4	\$247.7
Social Security	BA	\$394.7	\$12.6	\$12.6
	O	\$394.9	\$12.8	\$12.8
Veterans Benefits & Services	BA	\$42.4	\$42.4	\$43.1
	O	\$42.9	\$42.9	\$43.6
Administration of Justice	BA	\$25.0	\$24.8	\$25.4
	O	\$24.0	\$23.8	\$24.6
General Government	BA	\$14.8	\$14.4	\$14.1
	O	\$14.2	\$13.8	\$13.4
Net Interest	BA	\$244.0	\$244.0	\$296.7
	O	\$244.0	\$244.0	\$296.7
Allowances	BA	\$-0.5	\$-3.7	\$-2.6
	O	\$-0.5	\$-3.7	\$-0.6
Undistrib. Offsetting Receipts	BA	\$-44.0	\$-44.0	\$-37.7
	O	\$-44.0	\$-44.0	\$-37.7
Total Spending	BA	\$1,730.4	\$1,332.4	\$1,420.2
	O	\$1,721.9	\$1,324.9	\$1,403.7
<u>Revenues</u>		<u>\$1,755.8</u>	<u>\$1,304.0</u>	<u>\$1,321.2</u>
Surplus		\$33.9	(\$20.9)	(\$82.5)

Source: House Budget Committee

Miscellaneous. The substitute expresses the sense of Congress that (1) the use of federal funding to create human embryos for research or conduct research on cloning humans should be prohibited; (2) future legislation should recognize the importance of the traditional family; (3) funding for the National Endowment of the Arts should be eliminated; (4) aid to Israel should not be reduced; and (5) other countries should be encouraged to protect religious freedom and allow their countries to practice any faith they choose without retribution. *Staff Contact: Jennifer Larkin, x5-3927*

— *Spratt Substitute* —

Mr. Spratt will offer an amendment in the nature of a substitute that calls for (1) funding the president's initiatives such as providing tax credits for child day care, enacting a "patient's bill of rights," and providing assistance to finance school modernization; (2) reserving all budget surpluses until Congress and the president agree on legislation to guarantee the long run solvency of Social Security; and (3) funding transportation levels at the funding level of the Transportation Equity Act for the 21st Century (H.R. 2400). Major funding priorities for FY 1999 are detailed in the accompanying chart.

The substitute includes reconciliation instructions to the authorizing committees to report changes in law necessary to achieve the direct spending, revenue, and deficit reduction targets in the Spratt substitute. Specifically, the substitute instructs that, within 30 days of enactment:

- * the Committee on Agriculture must report changes to decrease direct spending by \$40 million over the next five years;
- * the Committee on Banking and Financial Services must report changes to decrease direct spending by \$1.1 billion over the next five years;
- * the Committee on Commerce must report changes to decrease direct spending by \$2.8 billion over the next five years;
- * the Committee on Education and the Workforce must report changes to decrease direct spending by \$3.4 billion over the next five years;
- * the Committee on Resources must report changes to decrease direct spending by \$381 million over the next five years; and
- * the Committee on Ways and Means must report changes to decrease direct spending by \$892 million over the next five years.

Social Security. The substitute expresses the sense of Congress that budget surpluses should be reserved until Congress and the president enact comprehensive measures to guarantee the long-term solvency of Social Security. It states that any budget surpluses should be paid into an account which will be invested in Treasury securities and interest earnings will be credited to the account.

Potential Tobacco Legislation. The substitute allocates budget authority and outlays to any committee with jurisdiction for legislation that increases funding to promote smoking prevention and cessation, curb cigarette smoking among teenagers, make payments to the states to reduce the costs incurred of treating

smoking-related illnesses, provide support to tobacco farmers, make payments to other claimants against tobacco companies, and/or fund federal medical research. The substitute intends for any tobacco proceeds not used for the above spending increases to be deposited in the Federal Hospital Insurance Trust Fund (Medicare Part A Trust Fund).

Miscellaneous. The substitute expresses the sense of Congress that the Ways and Means Committee should include the Assets for Independence Act when carrying out its reconciliation instructions (the Assets for Independence Act, H.R. 2849, establishes demonstration projects designed to determine the social, civic, psychological, and economic effects of providing individuals and families with limited means to accumulate assets and achieve economic self sufficiency). It states that the appropriate committees of jurisdiction should consider legislation to establish a three-year demonstration project to provide Medicare coverage for beneficiaries' participating in clinical cancer trials. The substitute also advocates that the relevant committees should consider legislation to revise the interim payment system for home health service in order to reduce home health care costs and provide time for home health care agencies to adjust to lower rates and reimbursements.

Finally, the substitute expresses the sense of Congress that committees of jurisdiction should accommodate high priority tax relief of \$30 billion over the next five years to fully offset revenues lost by closing or restricting unwarranted tax benefits. Specifically, it states that tax relief should (1) accommodate the revenue effects of improving rights for medical patients and providers in managed care health plans; (2) expand tax credits to alleviate the costs of child care; (3) reduce financing costs for primary and secondary public school modernization; (4) extend tax benefits that expire soon such as the Work Opportunity and Research and Experimentation credits; and (5) mitigate tax code marriage penalties. **Contact: Budget Committee (Minority), x6-7200**

Additional Information: See *Legislative Digest*, Vol. XXVII, #14, May 29, 1998.



Brian Fortune: *Editor*

S. Kevin Washington:
Senior Legislative Analyst

Melissa Decker, Scott Galupo,
Jimmy Papadimitriu, Kevin Smith:
Legislative Analysts

House
REPUBLICAN
Conference

Legislative
Digest